

Amendment
App. No. 09/766,132

REMARKS

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested. Claims 2, 5, 9 and 12 have been amended, claims 1, 7-8 and 14-16 have been canceled without prejudice, and no claims have been added. Therefore, claims 2-6 and 9-13 are pending in the application.

Information Disclosure Statements

IDS mailed October 16, 2003:

Second Request: Applicant submitted a supplemental information disclosure statement on October 16, 2003, including a supplemental modified PTO-1449 form. Applicant respectfully requests the Examiner to return a signed copy of the supplemental modified PTO-1449 form with the next office communication indicating consideration of the two cited references. No fee is believed due.

IDS mailed July 14, 2004:

Applicant submitted a supplemental information disclosure statement on July 14, 2004, including a PTO-1449 form. Applicant respectfully requests the Examiner to return a signed copy of the PTO-1449 form with the next office communication indicating consideration of the two cited references. A fee has already been paid for this IDS.

IDS mailed October 26, 2004:

Applicant submitted a supplemental information disclosure statement on October 26, 2004, including a PTO-1449 form. Applicant respectfully requests the Examiner to return a signed copy of the PTO-1449 form with the next office communication indicating consideration of the two cited references. A fee has already been paid, as well as a statement under 37 CFR 1.97(e),

Amendment
App. No. 09/766,132

for this IDS.

Advisory Action Requested

If this response does not result in a Notice of Allowance, Applicants respectfully request a timely Advisory Action. However, given the agreement that was reached in the Examiner interview as summarized below, Applicants expect that a Notice of Allowance will be issued.

Written Statement regarding Substance of 12/8/04 Interview per 37 CFR 1.133(b)

Applicant appreciates very much the opportunity to discuss the rejections in this application with Examiner Phu K. Nguyen in the telephone interview that occurred on December 8, 2004, at 11:30 a.m. EST. Those participating in the interview were the undersigned and Examiner Nguyen. In accordance with the requirements of 37 CFR 1.133(b), and the Manual of Patent Examining Procedure (MPEP) §713.04, Applicant provides the following written statement of the reasons presented at the interview as warranting favorable action.

No exhibits were shown or discussed. The claims that were discussed were claims 1, 2, 5, 8, 15 and 16. The prior art that was discussed was U.S. Patent No. 6,654,014 to Endo et al. ("Endo et al.").

The general thrust of the Applicant's principal argument that was discussed in the interview was that the Examiner is focusing on the current user position and not the view point in Endo et al. The Examiner has not shown that Endo et al.'s view point in FIG. 16B is taken into consideration, and Applicant submits that in Endo et al. a previous view point is never taken into consideration when calculating a current view point.

Amendment
App. No. 09/766,132

The Examiner responded by indicating that Endo et al. does take the previous view point into consideration. The Examiner reasoned that Endo et al. takes into account a previous user position when calculating the view point. The Examiner further reasons that Endo et al.'s view point is dependent on the user position. Therefore, the Examiner concluded that Endo et al.'s previous view point is necessarily taken into consideration when calculating the next view point because the view point is dependent on the user position. Applicant respectfully disagreed with this argument.

After further discussion the Examiner indicated that he would allow claims 2 and 5 if they are rewritten in independent form. And the Examiner also said that he would enter and consider an amendment to claim 1 without the need for a Request for Continued Examination (RCE) even though the case is under final rejection. But no specific amendments were discussed.

Thus, the telephone interview ended with an agreement being reached. Namely, the Examiner agreed that he would allow claims 2 and 5 if they are rewritten in independent form.

Claim Rejections under 35 U.S.C. 103

Claims 1-16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,654,014 to Endo et al. Applicant respectfully traverses these rejections.

As discussed above, an agreement was reached during the telephone interview with the Examiner that claims 2 and 5 would be allowable if they are rewritten in independent form. Applicant has amended claims 2 and 5 to place them in independent form, and so the rejections of those claims have been overcome. Furthermore, the rejections of claims 3-4 and 6 have also been overcome since they are dependent on claims 2 and 5,

Amendment
App. No. 09/766,132

respectively.

Applicant notes that claims 9 and 12 include substantially the same language as claims 2 and 5, respectively. As such, Applicant submits that claims 9 and 12 should also be allowable if they are rewritten in independent form. Applicant has amended claims 9 and 12 to place them in independent form, and so the rejections of those claims have been overcome. Furthermore, the rejections of claims 10-11 and 13 have also been overcome since they are dependent on claims 9 and 12, respectively.

Applicant has canceled claims 1, 7-8 and 14-16 without prejudice. As such, the rejections of those claims are now moot.

Fees Believed to be Due

When this application was filed a fee was paid for a total of 20 claims with 4 claims being independent claims. The above amendment results in there now being a total of 10 claims with 4 claims being independent claims. Thus, no fees are believed to be due.

Amendment
App. No. 09/766,132

CONCLUSION

By way of this response, Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Richard E. Wawrzyniak at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



Richard E. Wawrzyniak

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Dated: 12/20/04

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